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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,844	12/07/2001	Keizo Uchioka	Q67521	7807
7590 01/26/2006				
SUGHRUE, MION, ZINN, MACPEAK & SEAS 2100 Pennsylvania Avenue, N.W. Washington, DC 20037			EXAMINER LAM, ANDREW H	
			ART UNIT	PAPER NUMBER
			2624	

DATE MAILED: 01/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/004,844

Applicant(s)

UCHIOKE ET AL.

Examiner

Andrew H. Lam

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/07/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

DOUGLAS Q. TRAN  
PRIMARY EXAMINER

*Douglas Q. Tran*

### DETAILED ACTION

- This action is responsive to the following communication: an Amendment filed on 10/26/05.
- Claims 1-14 are pending in the present application. Claims 12-14 are new.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Sugaya (U.S. Patent No. 6,714,313).

Regarding claim 1, Sugaya discloses an image outputting apparatus (fig. 1, laser beam printer) for printing an image on a recording sheet by using a storage medium (col. 11, lines 7-15, external memory 317) in which a plurality of the images are recorded, said storage medium also storing additional information of the respective images (col. 11, lines 7-15, print data and attribute data in the external memory as discloses may be recorded on the external memory 317 which may include user name assigned to a given bin as an attribute), said image outputting apparatus comprising: a system controller for classifying said images on the basis of said additional information (fig. 9, attributes information by way of example is considered to be the user name

assigned to a bin); a plurality of sorting trays for containing said recording sheet on which said image has been printed (fig. 2, bins 237, 238 and 239), said sorting tray being allocated to each classification of said image by said system controller (fig. 15, bin 1-3 assigned to specific users); and a sorter for discharging said printed recording sheet to said sorting tray (col. 9, lines 1-10, elevating motor 240), said sorter being controlled by said system controller so as to discharge said recording sheet to said sorting tray corresponding to said classification (fig. 10).

Regarding claim 2, Sugaya discloses an image outputting apparatus according to claim 1, wherein said sorting tray is optionally designated to each classification (col. 11, lines 7-15, print data and attribute data in the external memory as discloses may be recorded on the external memory 317 which may include user name assigned to a given bin as an attribute).

Regarding claim 3, Sugaya discloses an image outputting apparatus according to claim 1, further comprising: a displaying member (fig. 15, user interface display) provided so as to correspond to said sorting tray, said displaying member showing said additional information used for classifying said images (fig. 15, user assign the bins a specific user or job name).

Regarding claim 4, Sugaya discloses an image outputting apparatus according to claim 3, wherein said displaying member is disposed near said sorting tray (fig. 2, display panel 102).

Regarding claim 5, Sugaya discloses an image outputting apparatus according to claim 3, wherein said displaying member is disposed on said sorting tray itself

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(examiner considers the selected position as design choices and not particularly a patentable feature).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6- 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugaya and well known prior arts.

Regarding claim 6, Official notice is taken to disclose an image outputting apparatus according to claim 3, wherein said additional information is photographic information given at the time of taking said image (it is well known in the art that when a photo is taken by a digital camera, information such as time is encoded on as additional information with the image).

Regarding claim 7, Official notice is taken to disclose an image outputting apparatus according to claim 6, wherein said image of said storage medium is taken by an electronic still camera and is recorded thereby (it is well known in the art that a memory card can be as a storage attachment for a electronic still camera).

Regarding claim 8, Official notice is taken to disclose an image outputting apparatus according to claim 7, wherein said additional information is automatically recorded by said electronic still camera (it is well known in the art that information such

as time and date is preprogrammed for a electronic still camera at initial setup, therefor causing it to automatically record as an image is taken by the electronic still camera).

Regarding claim 9, Official notice is taken to disclose an image outputting apparatus according to claim 8, wherein said additional information is a photographic date of said image, said images being classified on the basis of said photographic date (it is well known in the art that when a photo is taken by a digital camera, information such as date is encoded on as additional information with the image).

Regarding claim 10, Official notice is taken to disclose an image outputting apparatus according to claim 9, wherein said displaying member shows said photographic date (it is well known in the art that display member can display the file of a photo by the file name or date).

Regarding claim 11, Official notice is taken to disclose an image outputting apparatus according to claim 3, wherein said additional information is replay information for replaying said image, said replay information being written in said storage medium after recording said image therein (it is well known in the art that replay information such as date and time stored on a memory card can be replay on an image recording apparatus).

Regarding claim 12, Official notice is taken to disclose the image outputting apparatus according to claim 1, wherein said additional information is at least one of a photographer and a photographic condition (it is well known in the art that when using a digital camera to take a photo photographer and photographic condition can be encoded as additional information).

Regarding claim 13, Official notice is taken to disclose the image outputting apparatus according to claim 12, wherein said photographic condition comprises at least one of exposure conditions and shutter speed (well known in the art).

Regarding claim 14, Official notice is taken to disclose the image outputting apparatus according to claim 1, wherein said classification is based on at least print size and print resolution (print size and print resolution as classification for output for an apparatus is well known in the art).

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew H. Lam whose telephone number is (571) 272-8569. The examiner can normally be reached on M-F (9:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DOUGLAS Q. TRAN  
PRIMARY EXAMINER  
